



IFW
AF#

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

McKENZIE et al.

Serial No.: 09/163,089

Filed: September 29, 1998

Atty. File No.: 5036-1

For: "COMPOSITIONS FOR
IMMUNOTHERAPY AND
USES THEREOF"

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Examiner mailed April 26, 2004, finally rejecting Claims 1, 3-17, 19-21, 24-26, 38 and 70-72. Enclosed herewith is a check in the amount of \$170 for the Notice of Appeal fee specified in 37 CFR §1.17(b).

A petition for an extension of time under 37 CFR §1.136, with the appropriate fee, was submitted with the Amendment and Response After Final Rejection extending the time for response from July 26, 2004, to October 26, 2004. Accordingly, the Notice of Appeal is believed to be timely and no additional fee is believed to be required. Please credit any overpayment or debit any underpayment to Deposit Account 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

11/01/2004 MAHMED1 00000022 09163089

01 FC:2401

170.00 DP

By:

Gary J. Connell
Registration No. 32,020
1560 Broadway, Suite 1200
Denver, CO 80202-5141
(303) 863-9700

Date: Oct. 26, 2004

